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November 26, 1990

VIA TELECOPY AND REGULAR MAIL
(Fax #612-296-9707)

Minnesota Pollution Control Agency
520 LaFayette Road
St. Paul, Minnesota 55155

Attention: Cathy O'Connell

Re: Arrowhead

Dear Ms. O'Connell:

On behalf of our client, Sear, Roebuck & Co., we are in receipt of the Minnesota Pollution Control Agency's (MPCA) letter of November 19, 1990. As noted in the MPCA letter, Sears (and others) was named by the MPCA as a Responsible Party (RP) in the Request for Response Action (RFRA) issued by the MPCA on August 28, 1990.

Sears' response to the RFRA on October 12, 1990, as well as its response to the USEPA on October 12, 1990, indicated that Sears was willing to enter into negotiations with the MPCA, the USEPA and the Minnesota Arrowhead Site Committee (MASC), based upon the volumetric ranking allegedly attributable to Sears in the USEPA's "PRPBASE Transaction Reports" dated July 25, 1989. Similarly, Sears remains willing to participate at de minimis level in financing a cost-effective and environmentally sound remedial action.

With the exception of the MPCA's letter of November 19, 1990, Sears has received no communications from the MPCA, USEPA or MASC since the October 12, 1990 date referenced above, nor, as requested, has Sears been advised of any meetings between the RP's, MASC, MPCA and USEPA. As such, Sears is unaware of the events surrounding the October 17, 1990 meeting referred to in your letter.

JOHNSON & BELL, LTD.

Cathy O'Connell
November 26, 1990
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Finally, Sears respectfully submits that it is not obligated to respond to the MPCA's RFRA, or the MPCA's letter of November 19, 1990, as to do so would potentially invite an inconsistent response action, contrary to Section 122 (e)(6) of CERCLA. Nevertheless, we would again request that the undersigned be notified regarding any future negotiations between the RP's, the MPCA and the USEPA.

Very truly yours,

JOHNSON & BELL, LTD.


Frederick S. Mueller

FSM/lmt

cc: Terry B. Branigan/USEPA
Edwin R. Smith/USEPA